

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

IN RE: Jessica Rose Garbade,
Debtor.

Case No. 24-25919-kmp
Chapter 7

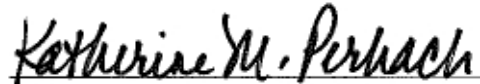
ORDER DENYING DEBTOR'S APPLICATION TO WAIVE CHAPTER 7 FILING FEE

The debtor filed a voluntary petition under chapter 7 on November 4, 2024, without schedules. At the same time, the debtor filed an application to waive the chapter 7 filing fee. To qualify for a filing-fee waiver, a debtor must demonstrate income that is less than 150% of the poverty line and an inability to pay the filing fee in installments. 28 U.S.C. §1930(f)(1). Even if a debtor is eligible, waiver of the fee is discretionary. *Id.* In exercising such discretion, the court reviews the debtor's petition, schedules, and application to determine whether a bankruptcy discharge will afford some otherwise unobtainable benefit, such that waiver of the filing fee is appropriate. See *In re Williams*, No. 13-22403 (Bankr. E.D. Wis. April 17, 2013). Without schedules, the court is not in a position to determine whether the debtor is eligible for a fee waiver, and if eligible, whether the court should exercise its discretion to grant the application. Accordingly, the court hereby **DENIES** the debtor's application to waive the chapter 7 filing fee and **ORDERS** that the debtor pay the \$338 filing fee as follows:

1. The debtor must pay the first installment of at least \$113 by **December 20, 2024**.
2. The debtor must pay a second installment of at least \$113 by **January 21, 2025**.
3. The debtor must pay a final installment of \$112 by **February 18, 2025**.
4. If the Clerk does not **receive** any one of these installments by the applicable deadline, the court will dismiss this case, and the debtor will not receive a discharge.
5. The debtor must make the money order or cashier's check payable to the Clerk, U. S. Bankruptcy Court. The Clerk's address is: Clerk, U. S. Bankruptcy Court, 517 East Wisconsin Avenue, Room 126, Milwaukee, WI 53202. (Note: While the Clerk accepts cash, the Clerk **does not** accept personal checks from debtors.)
6. If the court dismisses the debtor's case for failing to timely pay one of the above installments, the court will not reconsider or vacate the dismissal unless, along with the debtor's request to reconsider or vacate, the debtor pays the \$338.00 filing fee in full and states legally sufficient grounds to vacate the dismissal. The fee is NOT refundable, even if a motion to reconsider or vacate is denied.
7. This order will not be reconsidered based solely on the later filing of the debtor's schedules or other new information. If the debtor seeks reconsideration, the debtor must also provide adequate justification for failing to provide sufficient supporting information with the initial fee waiver application.
8. The Court **will not** grant a fee waiver or installment fee application in any future case the debtor may file. Filing fees for any future cases will be due, in full, within 14 days of the day the petition in that case is filed.

9. If the debtor needs more time to pay any of the installments, the debtor must request an extension and explain the reason for the request, *in writing*, before the deadline for paying that installment. The Court will notify the debtor whether an extension has been granted or denied.
10. The debtor is not permitted to pay an attorney, or any other professional, for services in connection with this case until the filing fee is paid in full. The debtor will not receive a discharge until the filing fee is paid in full.

Dated: November 20, 2024

A handwritten signature in black ink, reading "Katherine M. Perhach". The signature is written in a cursive style with a horizontal line underneath.

Katherine Maloney Perhach
United States Bankruptcy Judge